



CABINET FOR HUMAN RESOURCES
COMMONWEALTH OF KENTUCKY
FRANKFORT 40621

DEPARTMENT FOR SOCIAL INSURANCE
"An Equal Opportunity Employer M/F/D"

KASES Network Memo No. 20

TO: Staff, Division of Child Support Enforcement
All IV-D Agents

FROM: Steven L. Blank, Director *SLB*
Division of Child Support Enforcement

DATE: July 30, 1993

SUBJECT: Referrals for Judicial Enforcement

This memorandum is to notify all staff of a change in Division of Child Support Enforcement (DCSE) policy regarding referrals for judicial enforcement.

Current DCSE procedure states that when judicial enforcement action is required the case is referred to the contracting official in the client's county of residence except when the absent parent and the court order are in another county which is not the same as the client's county. In this situation, previous policy has been to refer the case to the contracting official in the absent parent's county of residence.

Some concern has been expressed by contracting officials that if current policy is followed and a court hearing is necessary to take the enforcement action, the client's testimony and presence in court will be necessary. This causes considerable hardship to the client due to the cost and inconvenience of travel.

KRS 403.211(1), effective July 13, 1990, states, "An action to establish or enforce child support may be initiated by the parent, custodian or agency substantially contributing to the support of the child. This action may be brought in the county in which the child resides or where the defendant resides."

Based on this statute, effective immediately, DCSE will refer all appropriate requests for judicial enforcement to the contracting official in the county in which the client and child reside.

If a new order is entered as a result of enforcement action, incentives will be paid to that county as the enforcing jurisdiction. For example, if the Franklin County Attorney enters a new arrearage order enforcing an Anderson County order because the client and child reside in Franklin County, incentives will be paid to Franklin County as the enforcing jurisdiction.

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To ensure that incentives are paid correctly for cases on the Child Support System, DCSE caseworkers are to change only the FIPS code in the court order information.

To ensure that incentives are paid correctly for cases on KASES, contracting official caseworkers must change the FIPS code information for the existing charging order, providing the new order does not replace it as the new charging order. The FIPS code of the existing order is changed to that of the county in which the new enforcing order is filed.

This is done through Accounting Functions by selecting Option 4, Add Support Order, from the Financial Management Menu. The charging order is then updated on the Update Court Order screen (ASEFOJ) to show the FIPS code of the county in which the enforcing order is filed.

For information in determining whether the new order should be loaded as the new charging order, contracting official caseworkers should refer to Information Release No. 543, dated July 27, 1993, "Circuit and District Court Orders." Area caseworkers should refer to Manual Subsection 18.070.

The information in this memorandum affects and is to be cross-referenced with Manual Subsection 29.040, Initiation of Enforcement and Collection Action.

DCSE STAFF AND CONTRACTING OFFICIALS WHO HAVE NOT IMPLEMENTED KASES ARE TO SAVE AND FILE THIS MEMO FOR FUTURE REFERENCE.

Retention: Until Superseded

Inquiries: DCSE Staff - Supervisors
IV-D Agents - Compliance Analysts